

SB2469



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2469

Introduced 2/15/2008, by Sen. Bill Brady - Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

20 ILCS 3960/12

from Ch. 111 1/2, par. 1162

Amends the Illinois Health Facilities Planning Act. Provides that the Health Facilities Planning Board must create a 3-member rules revision subcommittee. Provides that at least one member of the Health Facilities Planning Board must be present at any public hearing during which public testimony is given in support of or in opposition to a certificate of need or a certificate of exemption. Effective immediately.

LRB095 19781 HLH 46160 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Health Facilities Planning Act is
5 amended by changing Section 12 as follows:

6 (20 ILCS 3960/12) (from Ch. 111 1/2, par. 1162)

7 (Section scheduled to be repealed on August 31, 2008)

8 Sec. 12. Powers and duties of State Board. For purposes of
9 this Act, the State Board shall exercise the following powers
10 and duties:

11 (1) Prescribe rules, regulations, standards, criteria,
12 procedures or reviews which may vary according to the purpose
13 for which a particular review is being conducted or the type of
14 project reviewed and which are required to carry out the
15 provisions and purposes of this Act.

16 (2) Adopt procedures for public notice and hearing on all
17 proposed rules, regulations, standards, criteria, and plans
18 required to carry out the provisions of this Act.

19 (3) Prescribe criteria for recognition for areawide health
20 planning organizations, including, but not limited to,
21 standards for evaluating the scientific bases for judgments on
22 need and procedure for making these determinations.

23 (4) Develop criteria and standards for health care

1 facilities planning, conduct statewide inventories of health
2 care facilities, maintain an updated inventory on the
3 Department's web site reflecting the most recent bed and
4 service changes and updated need determinations when new census
5 data become available or new need formulae are adopted, and
6 develop health care facility plans which shall be utilized in
7 the review of applications for permit under this Act. Such
8 health facility plans shall be coordinated by the Agency with
9 the health care facility plans areawide health planning
10 organizations and with other pertinent State Plans.
11 Inventories pursuant to this Section of skilled or intermediate
12 care facilities licensed under the Nursing Home Care Act or
13 nursing homes licensed under the Hospital Licensing Act shall
14 be conducted on an annual basis no later than July 1 of each
15 year and shall include among the information requested a list
16 of all services provided by a facility to its residents and to
17 the community at large and differentiate between active and
18 inactive beds.

19 In developing health care facility plans, the State Board
20 shall consider, but shall not be limited to, the following:

21 (a) The size, composition and growth of the population
22 of the area to be served;

23 (b) The number of existing and planned facilities
24 offering similar programs;

25 (c) The extent of utilization of existing facilities;

26 (d) The availability of facilities which may serve as

1 alternatives or substitutes;

2 (e) The availability of personnel necessary to the
3 operation of the facility;

4 (f) Multi-institutional planning and the establishment
5 of multi-institutional systems where feasible;

6 (g) The financial and economic feasibility of proposed
7 construction or modification; and

8 (h) In the case of health care facilities established
9 by a religious body or denomination, the needs of the
10 members of such religious body or denomination may be
11 considered to be public need.

12 The health care facility plans which are developed and
13 adopted in accordance with this Section shall form the basis
14 for the plan of the State to deal most effectively with
15 statewide health needs in regard to health care facilities.

16 (5) Coordinate with other state agencies having
17 responsibilities affecting health care facilities, including
18 those of licensure and cost reporting.

19 (6) Solicit, accept, hold and administer on behalf of the
20 State any grants or bequests of money, securities or property
21 for use by the State Board or recognized areawide health
22 planning organizations in the administration of this Act; and
23 enter into contracts consistent with the appropriations for
24 purposes enumerated in this Act.

25 (7) The State Board shall prescribe, in consultation with
26 the recognized areawide health planning organizations,

1 procedures for review, standards, and criteria which shall be
2 utilized to make periodic areawide reviews and determinations
3 of the appropriateness of any existing health services being
4 rendered by health care facilities subject to the Act. The
5 State Board shall consider recommendations of the areawide
6 health planning organization and the Agency in making its
7 determinations.

8 (8) Prescribe, in consultation with the recognized
9 areawide health planning organizations, rules, regulations,
10 standards, and criteria for the conduct of an expeditious
11 review of applications for permits for projects of construction
12 or modification of a health care facility, which projects are
13 non-substantive in nature. Such rules shall not abridge the
14 right of areawide health planning organizations to make
15 recommendations on the classification and approval of
16 projects, nor shall such rules prevent the conduct of a public
17 hearing upon the timely request of an interested party. Such
18 reviews shall not exceed 60 days from the date the application
19 is declared to be complete by the Agency.

20 (9) Prescribe rules, regulations, standards, and criteria
21 pertaining to the granting of permits for construction and
22 modifications which are emergent in nature and must be
23 undertaken immediately to prevent or correct structural
24 deficiencies or hazardous conditions that may harm or injure
25 persons using the facility, as defined in the rules and
26 regulations of the State Board. This procedure is exempt from

1 public hearing requirements of this Act.

2 (10) Prescribe rules, regulations, standards and criteria
3 for the conduct of an expeditious review, not exceeding 60
4 days, of applications for permits for projects to construct or
5 modify health care facilities which are needed for the care and
6 treatment of persons who have acquired immunodeficiency
7 syndrome (AIDS) or related conditions.

8 (11) Create a 3-member rules revision subcommittee, which
9 shall hold at least 2 rule revision meetings each year. The
10 rules revision meetings must allow all parties to offer rule
11 revision suggestions to the subcommittee. The rules revision
12 subcommittee shall report to the full Board at least annually
13 with any rule change recommendations.

14 (12) At least one Board member must be present at any
15 public hearing during which public testimony is given in
16 support of or in opposition to a certificate of need or a
17 certificate of exemption.

18 (Source: P.A. 93-41, eff. 6-27-03; 94-983, eff. 6-30-06.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.